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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|------------------------------------------------------------------------|-------------|----------------------|---------------------|------------------|
| 10/750,598 | 12/30/2003 | Norihiro Edwin Aoki | AOL0106 | 3370 |
| 22862 | 7590 | 09/22/2005 | EXAMINER | |
| GLENN PATENT GROUP 3475 EDISON WAY, SUITE L MENLO PARK, CA 94025 | | | GAUTHIER, GERALD | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2645 | |

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/750,598

Applicant(s)

AOKI, NORIHIRO EDWIN

Examiner

Gerald Gauthier

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 August 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/08/2004
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on December 30, 2003, October 19, 2004 and November 08, 2004 was received. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claim(s) 1-33** are rejected under 35 U.S.C. 102(b) as being anticipated by McCormick et al. (US 6,023,723).

Regarding **claim(s) 1 and 21**, McCormick discloses a method of managing incoming messages on a communications network having multiple user recipients (FIG. 3 and column 1, lines 6-8), comprising the steps of:

providing a filtering component that monitors incoming messages sent to an addressee that is one of the user recipients (FIG. 2 and column 4, lines 20-25);

identifying whether or not the incoming message is an authorized message that originates from an approved subscription source for the addressee of the incoming message (FIG. 2 and column 4, lines 26-37);

forwarding any such authorized message to the addressee (FIG. 2 and column 4, lines 26-30); and

blocking delivery of any incoming message that is not identified as an authorized message (FIG. 2 and column 4, lines 20-25).

Regarding **claim(s) 2 and 22**, McCormick discloses a method, further comprising the step of: maintaining a database that has a listing of approved subscription sources for the addressee (FIG. 1 and column 4, lines 14-19).

Regarding **claim(s) 3 and 23**, McCormick discloses a method, wherein said identifying step comprises: matching the incoming message with the listing of approved subscription sources of the addressee (FIG. 2 and column 5, lines 49-55).

Regarding **claim(s) 4 and 24**, McCormick discloses a method, wherein said identifying step comprises: making a determination whether the incoming message contains operational information from an approved subscription source of the addressee and, if so, then forwarding the incoming message to the addressee (FIG. 2 and column 6, lines 1-10).

Regarding **claim(s) 5 and 25**, McCormick discloses a method, wherein said identifying step comprises: making a determination whether the incoming message contains operational information from a new subscription source that may require approval by the addressee and, if so, then forwarding the incoming message to the addressee (FIG. 2 and column 6, lines 1-10).

Regarding **claim(s) 6 and 26**, McCormick discloses a method, wherein said database comprises one or more predetermined parameters for each approved subscription sources on the listing, and said identifying includes matching attributes of the incoming message with said predetermined parameters in said database (FIG. 3 and column 6, lines 34-43).

Regarding **claim(s) 7, 14 and 27**, McCormick discloses a method, wherein said parameters comprise any of the following: origination address, alias origination address, proxy destination address, message subject, ID code name, and unique identifier field (FIG. 1 and column 4, lines 14-19).

Regarding **claim(s) 8 and 28**, McCormick discloses a method, which comprising a message service provider for the multiple user recipients, wherein one or more of the subscription sources is a commercial partner of the message service provider (FIG. 1 and column 4, lines 26-37).

Regarding **claim(s) 9, 16 and 29**, McCormick discloses a method, comprising a message service provider for the multiple user recipients, wherein the filtering component monitors incoming messages of any of the following types: email, instant messaging, telephonic, radio, television, wireless, text, audio, visual, and combinations thereof (FIG. 1 and column 4, lines 14-19).

Regarding **claim(s) 10, 17 and 30**, McCormick discloses a method, wherein said filtering component monitors outgoing messages from user recipients sent to a subscription source to identify operational information relating to starting a new subscription arrangement, modification, or cancellation of an existing subscription arrangement (FIG. 1 and column 4, lines 26-37).

Regarding **claim(s) 11, 19 and 31**, McCormick discloses a method, wherein said forwarding step comprises: marking the authorized message to notify the addressee that the authorized message comes from an approved subscription source (FIG. 1 and column 4, lines 38-42).

Regarding **claim(s) 12, 18 and 32**, McCormick discloses a method, further comprising the step of: providing multiple user recipients with a data form structure for starting, modifying, or canceling a subscription arrangement, said data form structure having fields of information for parameters stored in said database (FIG. 1 and column 4, lines 26-37).

Regarding **claim(s) 13**, McCormick discloses a method of assisting multiple users of a communications service provider to monitor new, ongoing, and cancelled subscription-type relationships that provide a recurring series of messages sent to one or more of such multiple users (FIG. 3 and column 1, lines 6-8), comprising the steps of:

creating a database that comprises a listing of approved message sources for individual users, the database having one or more parameters to uniquely identify each approved message source (FIG. 2 and column 4, lines 49-56);

monitoring incoming messages sent to a destination address of an individual user, said incoming messages having one or more attributes associated therewith (FIG. 2 and column 4, lines 20-25);

comparing the attributes of an incoming message with the parameters of the database to determine whether the incoming message is an authorized message from an approved message source on the listing in the database (FIG. 2 and column 4, lines 26-30); and

forwarding only such authorized messages to the individual user (FIG. 2 and column 4, lines 26-30).

Regarding **claim(s) 15**, McCormick discloses a method, further comprising the step of: making portions of the database available for read access by the individual user (FIG. 1 and column 4, lines 43-56).

Regarding **claim(s) 20**, McCormick discloses a method, further comprising the step of: providing hyper-links on a display screen of an individual user for access to any of the following: approved subscription database, subscription start form, and subscription cancel form (FIG. 3 and column 6, lines 15-33).


Regarding **claim(s) 33**, McCormick discloses a apparatus, further comprising: means for monitoring outgoing messages from individual users to identify subscription arrangement, or operations information relating to starting a new modifying, or canceling an existing subscription arrangement (FIG. 1 and column 4, lines 26-37).

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (571) 272-7539. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


GERALD GAUTHIER
PATENT EXAMINER

Gerald Gauthier
Examiner
Art Unit 2645

g.g.
September 15, 2005